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From the Desk of Linda C. Cipriani

NOTE FOR: J. Barry Harrelson
FROM: Linda C. Cipriani
DATE: 04/01/96 05:44:22 PM
SUBJECT: June Cobb

I spoke with Bob Caudle about the Privacy Act request of June Cobb. He agreed that in general HRG need not provide documents to requestors that are released pursuant to JFK and publicly available in the National Archives. Your response to Ms. Cobb could be to merely state that the documents she seeks are publicly available at the Archives and give her the address and phone number.

One exception: If you can do a search on your JFK index for documents indexed under her name and retrieve documents that have NOT yet been released at the Archives, then you will have to pull those documents only, review them, and release them to her.

I think this approach makes a lot of sense and HRG should be able to respond in this manner for Privacy/FOIA requests (otherwise, why have an Archives??). Bob and I agree that on initial requests this is what we should do, and there is case law that would support us in this response; if the courts ultimately tell us we are wrong in subsequent litigation, then we will have to reevaluate this position, but until that time comes, there is no legal reason not to respond this way.

CC:

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